



State of Louisiana
Louisiana Department of Health
Bureau of Health Services Financing

VIA E-MAIL ONLY

February 3, 2021

Mr. Richard Born, CEO
Aetna Better Health
2400 Veterans Memorial Blvd, Suite 200
Kenner, LA 70062

RE: Notice of Monetary Penalty – NEMT Broker

Dear Rick:

By Notice of Action dated February 24, 2020, Aetna Better Health (ABH) was notified of its requirement to provide non-emergency medical transportation to eligible enrollees in accordance with the terms of its contract with the Louisiana Department of Health (LDH), which provides:

6.23.3. NEMT/NEAT shall be provided to and from all medically necessary Medicaid state plan services (including carved out services) for those members who lack viable alternate means of transportation. NEMT/NEAT to non-Medicaid covered services is not a core benefit; it may be considered a cost-effective alternative service if so approved by LDH per Section 6.27.

7.8.9. Non-Emergency Medical Transportation and Non-Emergency Ambulance Transportation

7.8.9.1. MCO shall have sufficient NEMT providers, including wheelchair lift equipped vans, to transport members to/from medically necessary services when notified 48 hours in advance.

7.8.9.2. For medically necessary non-emergent transportation requested by the member or someone on behalf of the member, the MCO shall schedule the transportation and require its NEMT/NEAT provider to arrive and provide services with sufficient time to ensure that the member arrives at least fifteen (15) minutes, but no more than one (1) hour, before the appointment; does not have to wait more than one hour after the conclusion of the treatment for transportation; is not picked up prior to the completion of treatment;

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and is not in the vehicle for more than one (1) hour in excess of the estimated travel time, as calculated by a mapping application, for each leg of the trip.

ABH was placed on notice that beginning April 1, 2020, a penalty may be assessed for each instance a transportation provider does not show up for a scheduled transport.

On January 25, 2021, LDH received a complaint from member, [REDACTED], stating she had missed appointments on December 17, 2020 and December 29, 2020 due to the transportation provider failing to show up for her scheduled transports. On January 29, ABH confirmed the transportation “no-shows” and stated the instances were due to the inability to secure a transportation provider to accommodate the trips which caused the enrollee to miss the scheduled appointments.

Failure to adhere to the contract requirements cited herein warrants the assessment of a monetary penalty per occurrence per calendar day of non-compliance of \$5,000, as outlined in the contract between ABH and LDH. A total penalty in the amount of \$10,000 will be retained from the next monthly capitation payment made to ABH.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Stacy Guidry
Section Chief, Medicaid Program Operations and Compliance

SG/lj

cc: Michael Boutte
Melanie Doucet
Tara LeBlanc
Marisa Naquin
Justin Owens
Kim Sullivan
Christina Wilson
AET2-35